IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

INCOME TAX APPEAL NO.334 OF 2003

The Commissioner of Income Tax,
City-XII, Mumbai. Appellant
vs.
M/s.R.B.Chemicals Respondent

Mr.R.V.Desai, senior counsel with Mr.V.H.Kantharia and
Mr.A.S.Rao i/b. Mr.L.S.Shetty for the appellant.

**CORAM : R. M. LODHA &**
**J.P. DEVADHAR,JJ**.

**DATED : 2nd November 2004**

**P.C.**

Heard the learned senior counsel for the appellant.

2. The Tribunal has passed the order keeping in view the earlier order passed in assessee's own case. The learned senior counsel for the revenue is not in a position to say that the earlier order passed by the Tribunal has not attained finality.

3. No substantial question of law arises.

4. Dismissed in limine.

**(R.M. LODHA,J.)**

**(J.P. DEVADHAR,J.)**